



CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: Consider Resolution/Order to Vacate the Alley West of Washington Street, from East Vine Street to 150.3 Feet North of East Vine Street

MEETING DATE: November 3, 1993

PREPARED BY: Public Works Director

RECOMMENDED ACTION: That the City Council, after reviewing the attached agreement between the property owners, Mr. Bill Hrovat, owner of 235 East Vine Street, and the Providence Reformed Church at 245 East Vine Street, adopt the order to vacate resolution.

BACKGROUND INFORMATION: The City Council, at its last meeting of October 20, 1993, closed the public hearing on this item. However, the City Council indicated to both Mr. Hrovat and the Providence Reformed Church that they should come to some type of agreement since it was the Council's intent to abandon the subject alley.

Enclosed for information is a copy of the October 20, 1993 Council Communication on this subject.

On October 27, 1993, the City received a copy of the agreement, executed on October 26, 1993, between the Church and Mr. Hrovat. A copy of this agreement is attached.

FUNDING: Not applicable.


Jack L. Ronsko
Public Works Director

JLR/lm

Attachment

cc: City Attorney
Affected property owners

APPROVED: 

THOMAS A. PETERSON
City Manager



recycled paper



CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: Continue Public Hearing to Consider Resolution/Order to Vacate the Alley West of Washington Street, from East Vine Street to 150.3 Feet North of East Vine Street

MEETING DATE: October 20, 1993

PREPARED BY: Public Works Director

RECOMMENDED ACTION: That the City Council, after hearing input from both property owners, Mr. Bill Hrovat of 235 East Vine Street and the Providence Reformed Church at 245 East Vine Street, take the appropriate action on this proposed abandonment.

BACKGROUND INFORMATION: At the Council meeting of October 6, 1993, the Council reviewed this proposed abandonment. After hearing from both property owners, Council continued the public hearing and directed staff to meet with both property owners to see if a solution to the abandonment, agreeable to both property owners, could be developed. A copy of the October 6, 1993 Council Communication is attached. The exhibit, showing the proposed alley abandonment, was revised to show the correct property boundaries of the Church parcel.

After this agenda item was heard by the Council, staff met with both parties for approximately 20 minutes in the Carnegie sitting room and agreed to the following:

1. Public Works staff would take on-site measurements of the Church property and lay out possible parking lot designs which would meet City standards and be wholly upon the Church property.
2. Allow the Church to locate parking lot bumper blocks on their westerly property line and the City would permit the front end of cars to overhang into the alleyway since this encroachment would take place only one day a week.
3. Public Works staff would contact parties involved once parking lot designs were available.
4. Provide for alley barricading on a temporary basis in order that the Church could proceed with their parking lot sealing.

The following day, staff prepared two alternative parking lot layouts which were provided the Church representative on Friday. These layouts met the City's current standards and provided for the parking to be wholly upon the Church property with the exception of vehicle overhang of cars parking on the west side. One layout provided the same number of parking spaces currently marked and the other

APPROVED: _____

THOMAS A. PETERSON
City Manager



recycled paper

Continue Public Hearing to Council Resolution/Order to Vacate the Alley West of Washington Street,
from East Vine Street to 150.3 Feet North of East Vine Street

October 20, 1993

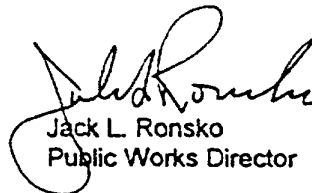
Page 2

alternative, using diagonal parking, decreased the parking by four spaces. We also uncovered, and marked in the field, three existing survey monuments which located the exact west property line of the Church's property. This information was also provided the Church.

Late Friday, Mr. Hrovat came in and asked for the name of the Church's contact person. He indicated he had a proposal for the Church which would provide them the total amount of land they needed for their parking lot and provide him the RV and vehicular access he wanted to his parcel. The concept of this proposal was an uneven split of the 20 feet of alley to be vacated. Under Mr. Hrovat's proposal, he recommended the abandonment of only 93.7 feet of the alley north of Vine Street. Mr. Hrovat contacted the Church and made this proposal.

As of the writing of this Council Communication, we have not been able to contact the Church to see what their position is. We are, therefore, recommending that the parties involved attend the continued public hearing to make their positions known in order that the City Council can take the appropriate action.

FUNDING: Not applicable.



Jack L. Ronsko
Public Works Director

JLR/lm

Attachments

cc: City Attorney
Affected property owners



CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: Public Hearing to Consider Resolution/Order to Vacate the Alley West of Washington Street, from East Vine Street to 150.3 Feet North of East Vine Street

MEETING DATE: October 6, 1993

PREPARED BY: Public Works Director

RECOMMENDED ACTION: That the City Council, after reviewing the finding by the Planning Commission and the public comments from the subject public hearing, take the appropriate action on this proposed abandonment.

BACKGROUND INFORMATION: At its regular meeting of September 1, 1993, the City Council adopted a resolution of intention to vacate an alley west of Washington Street, from East Vine Street to 150.3 feet north of East Vine Street, reserving, however, and excepting from the vacation, a permanent easement and right therein to construct, maintain, repair and operate lines for public utilities, both publicly and privately owned, in, over, and across said alley; and referred the matter to the Planning Commission.

At the request of the Providence Reformed Church at 245 East Vine Street, this alley abandonment was initiated by City staff. The subject alley right of way between Vine Street and Cherry Street has never been maintained by the City of Lodi. The portion proposed to be vacated was paved by the Providence Reformed Church and has been striped and made part of their overall parking lot. It is possible to travel from Cherry Street to Vine Street; however, the northerly portion of the alley right of way is unimproved (dirt) and the southerly portion, paved by the Church, has no standard alley-approach access to Vine Street. Presently, in order to use the dedicated alleyway, it is necessary to traverse the remainder of the Church's parking lot and use their driveway onto Vine Street. Since there were no existing structures on the adjacent property at 235 East Vine Street which took access off the alley, it was our feeling that there was no public need.

The Planning Commission, at its meeting of September 27, 1993, held a hearing to determine public need, present or future, for this alley. The owner of 235 East Vine Street, who purchased the property within the last year, indicated to the Planning Commission that he bought the property after confirming that it had alley access. It was his intention to upgrade this rental property, providing an off-street garage with access off of the alleyway and also providing for possible RV parking. The Planning Commission, after hearing the concerns of the adjacent property owner, determined that there was public need and they are providing that finding to the City Council for its public hearing on this matter to be held October 6, 1993.

APPROVED: _____

THOMAS A. PETERSON
City Manager



recycled paper

Public Hearing to Consider Resolution/Order to Vacate the Alley West of Washington Street, from
East Vine Street to 150.3 Feet North of East Vine Street

October 6, 1993

Page 2

Pacific Bell, King Videocable, PG&E, and City of Lodi utilities have all indicated the proposed abandonment is acceptable if it is approved on the condition that a permanent easement be reserved as indicated above.

FUNDING: Not applicable.



Jack L. Ronsko
Public Works Director

Prepared by Sharon A. Welch, Associate Civil Engineer

JLR/SAW/im

Attachments

cc: City Attorney
Community Development Director
Providence Reformed Church, 245 East Vine Street
Property Owner, 235 East Vine Street

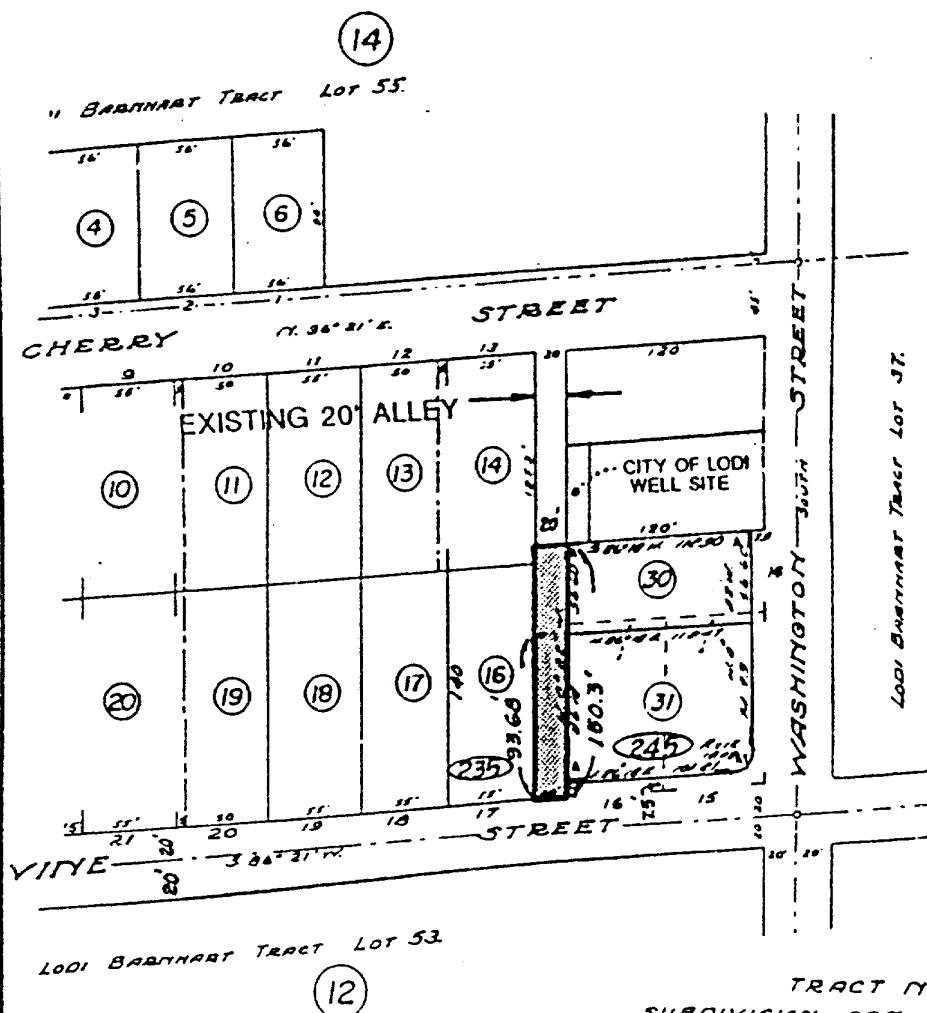


CITY OF LODI

PUBLIC WORKS DEPARTMENT

ALLEY ABANDONMENT

Bk. 047-13



TRACT NO. 15.
SUBDIVISION SAN JOAQUIN CO.
ZILKE SUBDIVISION

Dr.	No.	Date	Revision	Appr.
Ch.				
Date				

EXHIBIT A

REVISED 10/13/93

MEMORANDUM OF AGREEMENT

BETWEEN

COVENANT REFORMED CHURCH OF SACRAMENTO
(dba) PROVIDENCE REFORMED CHURCH
245 EAST VINE STREET
LODI, CA 95240

AND

MR. WILLIAM V. HROVAT
(OWNER OF RECORD OF PROPERTY LOCATED AT 235 EAST VINE STREET)
1556 IRIS DRIVE
LODI, CA 95242

RESOLVED AND AGREED THAT:

-THE VACATED ALLEY SHALL BE DIVIDED EQUALLY WITH 10' GOING TO 245 EAST VINE STREET AND 10' GOING TO 235 EAST VINE STREET.

-A PERMANENT EASEMENT TO CROSS THE CHURCH PARKING LOT WITH A RECREATIONAL VEHICLE BE GIVEN TO ONLY THE OCCUPANT OR OWNER OF 235 EAST VINE STREET.

-THE EASEMENT IS NOT TO BE USED DURING ANY SERVICE OF THE CHURCH.

-IF AND WHEN A FENCE IS PLACED BY THE CHURCH, AN ALLOWABLE OPENING OF 15' WILL BE LEFT FOR A GATE.

-A GATE OF LIKE MATERIAL TO THE FENCE SHALL BE INSTALLED AND PAID FOR BY THE OWNER OF 235 EAST VINE STREET. (IF THE OWNER OF 235 EAST VINE STREET DOES NOT WISH TO INSTALL A GATE, THE FENCE WILL BE CONTINUOUS.)

-A LOCK SHALL BE INSTALLED ON SAID GATE.

SIGNED Cornelia Van Eymond

DATE 10/26/93

SIGNED [Signature]

DATE 26 Oct 1993

SIGNED Leo M. Dickert

DATE 10-26-93

for PROVIDENCE REFORMED CHURCH

SIGNED William V. Hrovat
WILLIAM V. HROVAT

DATE 10-26-93

RECEIVED

OCT 27 1993



CITY OF LODI
PUBLIC WORKS DEPARTMENT

RESOLUTION NO. 93-13.

=====

A RESOLUTION/ORDER OF THE LODI CITY COUNCIL
VACATING THE ALLEY WEST OF WASHINGTON STREET,
FROM EAST VINE STREET TO 150.3 FEET NORTH OF EAST VINE STREET

=====

WHEREAS, this City Council acting in accordance with provisions of Part III of Division 9 of the Streets and Highways Code of this State, did on the 1st day of September, 1993 pass and adopt a Resolution of Intention No. 93-108 therein declaring the intention of said City Council to vacate that portion of the alley west of Washington Street, from East Vine Street to 150.3 feet north of East Vine Street, Lodi, California, County of San Joaquin, State of California, reserving, however, and excepting from the vacation, a permanent easement and right therein to construct, maintain, repair and operate lines for public utilities, both publicly and privately owned, in over, and across said alley, and more particularly described as follows, to wit:

The alley located west of 245 East Vine Street, as shown on Exhibit A attached hereto;

WHEREAS, said notice of said intended vacation was regularly given by publication and by posting, both in time, form and manner as required by law as is evidenced by affidavits on file and on record in the office of the City Clerk of the City of Lodi; and

WHEREAS, in accordance with the provisions stated in Resolution No. 93-108 and also contained in the posted notices of the adoption of said resolution, notice was given that a public hearing would be held before the City Council in the City Council Chambers, Carnegie Forum, 305 West Pine Street, Lodi, California, beginning at 7:00 p.m. on Wednesday, October 6, 1993, where and when any person interested in or objecting to said vacation could appear and be heard in relation thereto; and

WHEREAS, at that time and place, a public hearing was held and conducted and testimony received for and against the vacation contemplated; and

WHEREAS, upon unanimous motion action of the City Council, the public hearing was continued to the October 20, 1993 City Council meeting so that a possible solution may be reached, and the Council further directed that a title search be done on the property; and

WHEREAS, on October 20, 1993, a continued noticed public hearing was held and conducted and testimony received for and against the vacation contemplated; and

WHEREAS, upon unanimous motion action, the City Council continued discussion of the matter to the regular City Council meeting of November 3, 1993; and

RES93135/TXTA.01V

WHEREAS, at the November 3, 1993 City Council meeting, upon reviewing an agreement between the property owners, and from the evidence submitted, the City Council of the City of Lodi did determine that said portion of said alley is unnecessary for present or future public use and did so find and declare; and

WHEREAS, the Planning Commission did find that the subject vacation was consistent with the General Plan of the City of Lodi;

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the findings and under the authority of Section 8323 of the Streets and Highways Code of the State of California, that there is hereby abandoned that portion of the alley west of Washington Street, from East Vine Street to 150.3 feet north of East Vine Street, Lodi, California, and more particularly described as follows:

The alley located west of 245 East Vine Street, as shown on Exhibit A attached hereto.

Reserving, however, and excepting from the vacation, a permanent easement and right therein to construct, maintain, repair and operate lines for public utilities, both publicly and privately owned, in over, and across said alley.

Reference is hereby made to a map or plan on file in the office of the City Clerk of the City of Lodi for the particulars as to the proposed vacation.

Dated: November 3, 1993

=====

I hereby certify that the foregoing RESOLUTION/ORDER VACATING that portion of the alley west of Washington Street, from East Vine Street to 150.3 feet north of East Vine Street, Lodi, California, with the conditions stated, was passed and adopted by the Lodi City Council in a regular meeting held November 3, 1993 by the following vote:

Ayes: Council Members -

Noes: Council Members -

Absent: Council Members -

Jennifer M. Perrin
City Clerk

93-135

RES93135/TXTA.01V

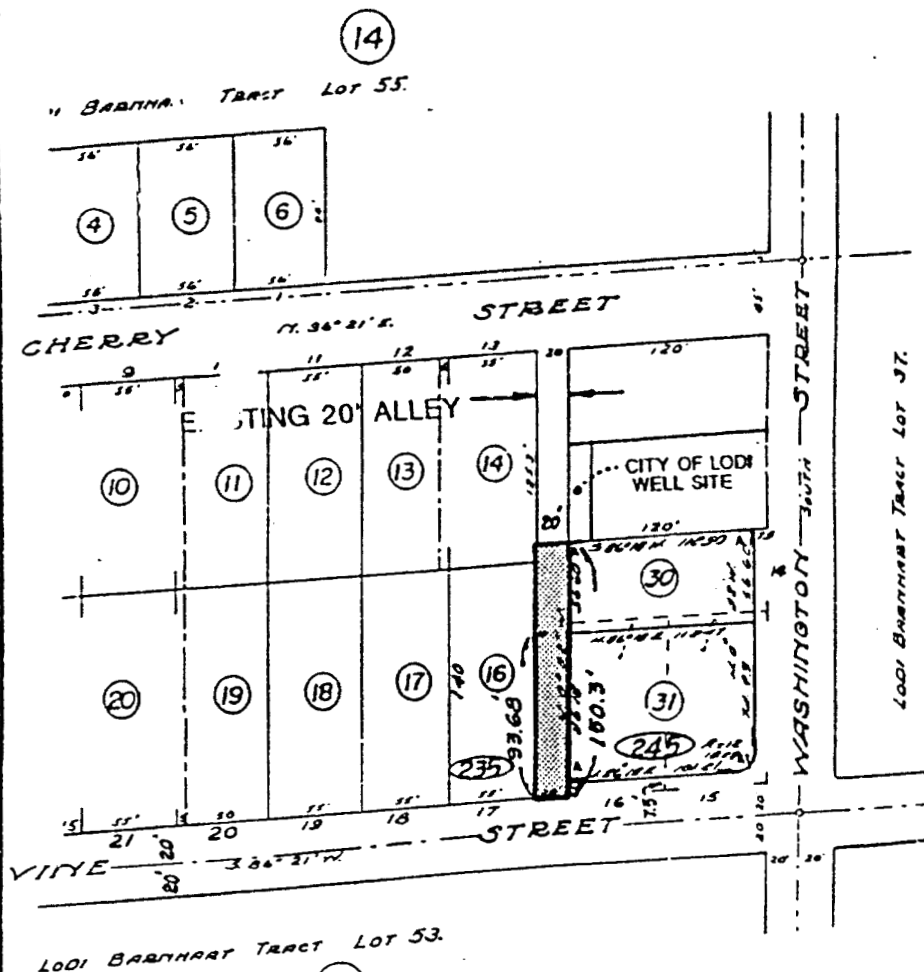


CITY OF LODI

PUBLIC WORKS DEPARTMENT

ALLEY ABANDONMENT

Bk. 047-13



1001 BARNHART TRACT LOT 53.

TRACT NO. 15.
SUBDIVISION SAN JOAQUIN CO.
ZILKE SUBDIVISION

Dr.	No.	Date	Revision	Appr.
Ch.				
Date				

EXHIBIT A

REVISED 10/13/93

CITY COUNCIL

PHILLIP A. PENNINO Mayor
JACK A. SIEGLOCK
Mayor Pro Tempore
RAY G. DAVENPORT
STEPHEN J. MANN
JOHN R. (Randy) SNIDER

CITY OF LODI

CITY HALL, 221 WEST PINE STREET
P.O. BOX 3006
LODI, CALIFORNIA 95241-1910
(209) 334-5634
FAX (209) 333-6795

THOMAS A. PETERSON
City Manager
JENNIFER M. PERRIN
City Clerk
BOB McNATT
City Attorney

October 27, 1993

Mr. Bill Hrovat
1556 Iris Drive
Lodi, CA 95242

SUBJECT: Consider Resolution/Order to Vacate the Alley West of Washington Street, from East Vine Street to 150.3 Feet North of East Vine Street

Enclosed is a copy of background information on an item that is on the City Council agenda of Wednesday, November 3, 1993, at 7:00 p.m. The meeting will be held in the City Council Chamber, Carnegie Forum, 305 West Pine Street.

This item is on the regular calendar for Council discussion. You are welcome to attend.

If you wish to write to the City Council, please address your letter to City Council, City of Lodi, P. O. Box 3006, Lodi, California, 95241-1910. Be sure to allow time for the mail. Or, you may hand-deliver the letter to City Hall, 221 West Pine Street.

If you wish to address the Council at the Council meeting, be sure to fill out a speaker's card (available at the Carnegie Forum immediately prior to the start of the meeting) and give it to the City Clerk. If you have any questions about communicating with the Council, please contact Jennifer Perrin, City Clerk, at (209) 333-6702.

If you have any questions about the item itself, please call Sharon Welch or me at (209) 333-6706.



Jack L. Ronsko
Public Works Director

JLR/1m

Enclosure

cc: City Clerk ✓

CITY COUNCIL

PHILLIP A. PENNINO Mayor
JACK A. SIEGLOCK
Mayor Pro Tempore
RAY G. DAVENPORT
STEPHEN J. MANN
JOHN R. (Randy) SNIDER

CITY OF LODI

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THOMAS A. PETERSON
City Manager

JENNIFER M. PERRIN
City Clerk

BOB McNATT
City Attorney

October 27, 1993

Providence Reformed Church
245 East Vine Street
Lodi, CA 95240

SUBJECT: Consider Resolution/Order to Vacate the Alley West of Washington Street, from
East Vine Street to 150.3 Feet North of East Vine Street

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If you have any questions about the item itself, please call Sharon Welch or me at
(209) 333-6706.



Jack L. Ronsko
Public Works Director

JLR/lm

Enclosure

cc: City Clerk

NVACATE2.DOC

CITY COUNCIL

PHILLIP A. PENNINO, Mayor
JACK A. SIEGLOCK
Mayor Pro Tempore
RAY G. DAVENPORT
STEPHEN J. MANN
JOHN R. (Randy) SNIDER

CITY OF LODI

CITY HALL, 221 WEST PINE STREET
P.O. BOX 3006
LODI, CALIFORNIA 95241-1910
(209) 334-5634
FAX (209) 333-6795

FILE

THOMAS A. PETERSON
City Manager
JENNIFER M. PERRIN
City Clerk
BOB MCNATT
City Attorney

November 17, 1993

Mr. William V. Hrovat
1556 Iris Drive
Lodi, California 95242

Re: Resolution/Order to Vacate Alley West of Washington
Street, from East Vine Street 93.68 Feet North to East
Vine Street

Dear Mr. Hrovat:

The above mentioned Resolution/Order to Vacate has been
forwarded to the San Joaquin County Recorder's Office.
Upon receipt of the recorded copy, I will forward a
photocopy to you for your records.

Should you have any questions regarding this matter, feel
free to contact my office.

Sincerely,


Jennifer M. Perrin
City Clerk

JMP/pn

LALLYVAC/TXTA.02J

CITY COUNCIL

PHILLIP A. PENNINO, Mayor
JACK A. SIEGLOCK
Mayor Pro Tempore
RAY G. DAVENPORT
STEPHEN J. MANN
JOHN R. (Randy) SNIDER

CITY OF LODI

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FILE
THOMAS A. PETERSON
City Manager
JENNIFER M. PERRIN
City Clerk
BOB McNATT
City Attorney

November 17, 1993

Mr. Jerry DeYoung
Providence Reformed Church
245 East Vine Street
Lodi, California 95240

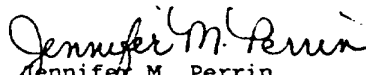
Re: Resolution/Order to Vacate Alley West of Washington
Street, from East Vine Street 23.68 Feet North to East
Vine Street

Dear Mr. DeYoung:

The above mentioned Resolution/Order to Vacate has been
forwarded to the San Joaquin County Recorder's Office.
Upon receipt of the recorded copy, I will forward a
photocopy to you for your records.

Should you have any questions regarding this matter, feel
free to contact my office.

Sincerely,


Jennifer M. Perrin
City Clerk

JMP/pn

LALLYVAC/TXTA.02J

RESOLUTION NO. 93-13

=====

A RESOLUTION/ORDER OF THE LODI CITY COUNCIL
VACATING THE ALLEY WEST OF WASHINGTON STREET,
FROM EAST VINE STREET TO 93.68 FEET NORTH OF EAST VINE STREET

=====

WHEREAS, this City Council acting in accordance with provisions of Part III of Division 9 of the Streets and Highways Code of this State, did on the 1st day of September, 1993 pass and adopt a Resolution of Intention No. 93-108 therein declaring the intention of said City Council to vacate that portion of the alley west of Washington Street, from East Vine Street to 93.68 feet north of East Vine Street, Lodi, California, County of San Joaquin, State of California, reserving, however, and excepting from the vacation, a permanent easement and right therein to construct, maintain, repair and operate lines for public utilities, both publicly and privately owned, in over, and across said alley, and more particularly described as follows, to wit:

The alley located west of 245 East Vine Street, as shown on Exhibit A attached hereto;

WHEREAS, said notice of said intended vacation was regularly given by publication and by posting, both in time, form and manner as required by law as is evidenced by affidavits on file and on record in the office of the City Clerk of the City of Lodi; and

WHEREAS, in accordance with the provisions stated in Resolution No. 93-108 and also contained in the posted notices of the adoption of said resolution, notice was given that a public hearing would be held before the City Council in the City Council Chambers, Carnegie Forum, 305 West Pine Street, Lodi, California, beginning at 7:00 p.m. on Wednesday, October 6, 1993, where and when any person interested in or objecting to said vacation could appear and be heard in relation thereto; and

WHEREAS, at that time and place, a public hearing was held and conducted and testimony received for and against the vacation contemplated; and

WHEREAS, upon unanimous motion action of the City Council, the public hearing was continued to the October 20, 1993 City Council meeting so that a possible solution may be reached, and the Council further directed that a title search be done on the property; and

WHEREAS, on October 20, 1993, a continued noticed public hearing was held and conducted and testimony received for and against the vacation contemplated; and

WHEREAS, upon unanimous motion action, the City Council continued discussion of the matter to the regular City Council meeting of November 3, 1993; and

RES93135/TXTA.02J

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WHEREAS at the November 3, 1993 C. Council meeting, upon reviewing an agreement between the property owners, and from the evidence submitted, the City Council of the City of Lodi did determine that said portion of said alley is unnecessary for present or future public use and did so find and declare; and

WHEREAS, the Planning Commission did find that the subject vacation was consistent with the General Plan of the City of Lodi;

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the findings and under the authority of Section 8323 of the Streets and Highways Code of the State of California, that there is hereby abandoned that portion of the alley west of Washington Street, from East Vine Street to 93.68 feet north of East Vine Street, Lodi, California, and more particularly described as follows:

The alley located west of 245 East Vine Street, as shown on Exhibit A attached hereto.

Reserving, however, and excepting from the vacation, a permanent easement and right therein to construct, maintain, repair and operate lines for public utilities, both publicly and privately owned, in over, and across said alley.

Reference is hereby made to a map or plan on file in the office of the City Clerk of the City of Lodi for the particulars as to the proposed vacation.

Dated: November 3, 1993

=====

I hereby certify that the foregoing RESOLUTION/ORDER VACATING that portion of the alley west of Washington Street, from East Vine Street to 93.68 feet north of East Vine Street, Lodi, California, with the conditions stated, was passed and adopted by the Lodi City Council in a regular meeting held November 3, 1993 by the following vote:

Ayes: Council Members - Davenport, Mann, Sieglock, Snider
and Pennino (Mayor)

Noes: Council Members - None

Absent: Council Members - None

Jennifer M. Perrin by *Jerry Holcomb*
Jennifer M. Perrin Deputy City Clerk
City Clerk

93-135

RES93135/TXTA.02J

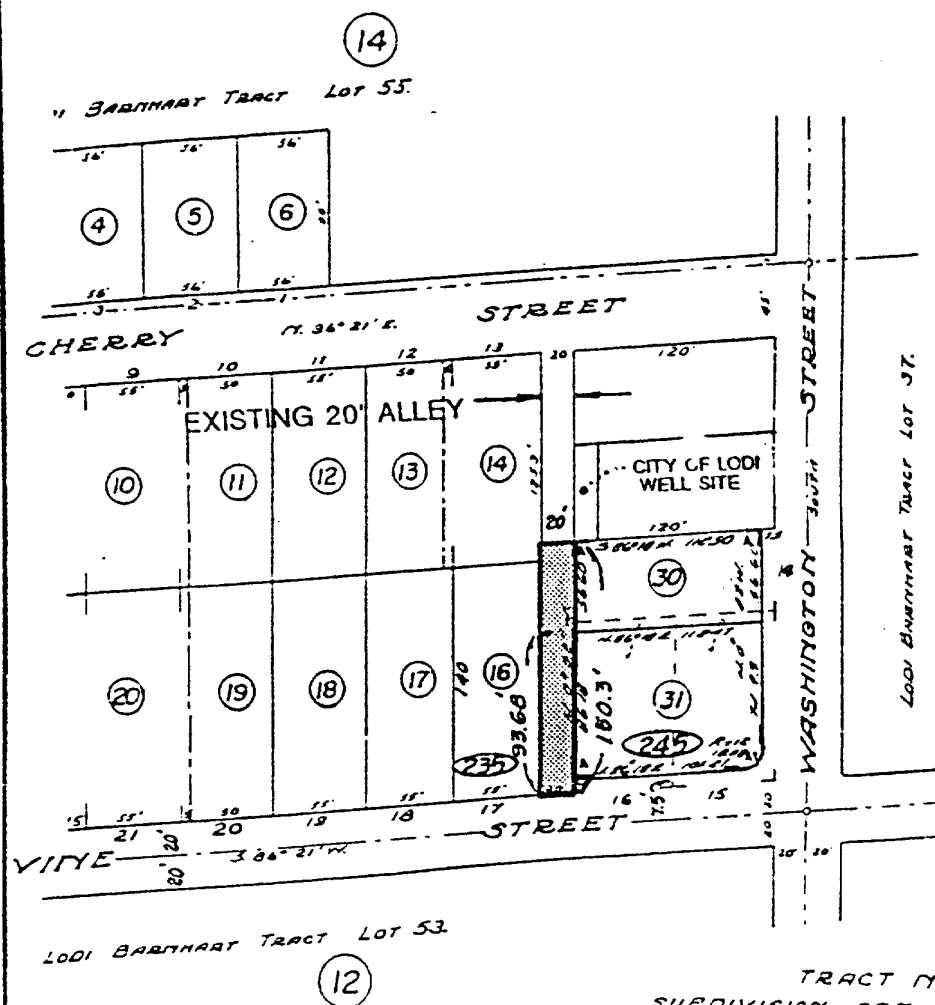


CITY OF LODI

PUBLIC WORKS DEPARTMENT

ALLEY ABANDONMENT

Bk. 047-13



Dr.	No.	Date	Revision	Appr.
Ch.				
Date				

EXHIBIT A

REVISED 10/13/93

CITY COUNCIL

PHILLIP A. PENNINO, Mayor
JACK A. SIEGLOCK
Mayor Pro Tempore
RAY G. DAVENPORT
STEPHEN J. MANN
JOHN R. (Randy) SNIDER

CITY OF LODI

CITY HALL, 221 WEST PINE STREET
P.O. BOX 3006
LODI, CALIFORNIA 95241-1910
(209) 334-5634
FAX (209) 333-6795

THOMAS A. PETERSON
City Manager
JENNIFER M. PERRIN
City Clerk
BOB McNATT
City Attorney

December 3, 1993


Pacific Gas and Electric Company
12 West Pine Street
Lodi, CA 95240

Gentlemen:

Enclosed herewith please find certified recorded copy of Resolution/Order No. 93-135 entitled, "Resolution/Order of the Lodi City Council Vacating the Alley West of Washington Street, From East Vine Street to 93.68 Feet North of East Vine Street" which was adopted by the Lodi City Council at its Regular Meeting of November 3, 1993.

Should you have any questions regarding this matter, please do not hesitate to call this office.

Very truly yours,


Jennifer M. Perrin
City Clerk

JMP

Enclosure

cc: Jeannie Matsumoto, Senior Engineering Technician

docid

93136837

66

CITY OF LODI

P.O. Box 3006

Lodi, CA 95241-1910

SAN JOAQUIN COUNTY
RECORDER'S OFFICE
JAMES M. JOHNSTONE

93 NOV 19 AM 11:54

RECORDED AT REQUEST OF

Peggy Nicolini

FEE *11* *10-1*

1054

RESOLUTION NO. 93-135

=====

A RESOLUTION/ORDER OF THE LODI CITY COUNCIL
VACATING THE ALLEY WEST OF WASHINGTON STREET,
FROM EAST VINE STREET TO 93.68 FEET NORTH OF EAST VINE STREET

=====

WHEREAS, this City Council acting in accordance with provisions of Part III of Division 9 of the Streets and Highways Code of this State, did on the 1st day of September, 1993 pass and adopt a Resolution of Intention No. 93-108 therein declaring the intention of said City Council to vacate that portion of the alley west of Washington Street, from East Vine Street to 93.68 feet north of East Vine Street, Lodi, California, County of San Joaquin, State of California, reserving, however, and excepting from the vacation, a permanent easement and right therein to construct, maintain, repair and operate lines for public utilities, both publicly and privately owned, in over, and across said alley, and more particularly described as follows, to wit:

The alley located west of 245 East Vine Street, as shown on Exhibit A attached hereto;

WHEREAS, said notice of said intended vacation was regularly given by publication and by posting, both in time, form and manner as required by law as is evidenced by affidavits on file and on record in the office of the City Clerk of the City of Lodi; and

93136837

WHEREAS, at the November 3, 1993 City Council meeting, upon reviewing an agreement between the property owners, and from the evidence submitted, the City Council of the City of Lodi did determine that said portion of said alley is unnecessary for present or future public use and did so find and declare; and

WHEREAS, the Planning Commission did find that the subject vacation was consistent with the General Plan of the City of Lodi;

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the findings and under the authority of Section 8323 of the Streets and Highways Code of the State of California, that there is hereby abandoned that portion of the alley west of Washington Street, from East Vine Street to 93.68 feet north of East Vine Street, Lodi, California, and more particularly described as follows:

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Reserving, however, and excepting from the vacation, a permanent easement and right therein to construct, maintain, repair and operate lines for public utilities, both publicly and privately owned, in over, and across said alley.

Reference is hereby made to a map or plan on file in the office of the City Clerk of the City of Lodi for the particulars as to the proposed vacation.

Dated: November 3, 1993

=====

I hereby certify that the foregoing RESOLUTION/ORDER VACATING that portion of the alley west of Washington Street, from East Vine Street to 93.68 feet north of East Vine Street, Lodi, California, with the conditions stated, was passed and adopted by the Lodi City Council in a regular meeting held November 3, 1993 by the following vote:

Ayes: Council Members - Davenport, Mann, Sieglock, Snider
and Pennino (Mayor)

Noes: Council Members - None

Absent: Council Members - None

Jennifer M. Perrin
Jennifer M. Perrin
City Clerk

Deputy City Clerk

93136837

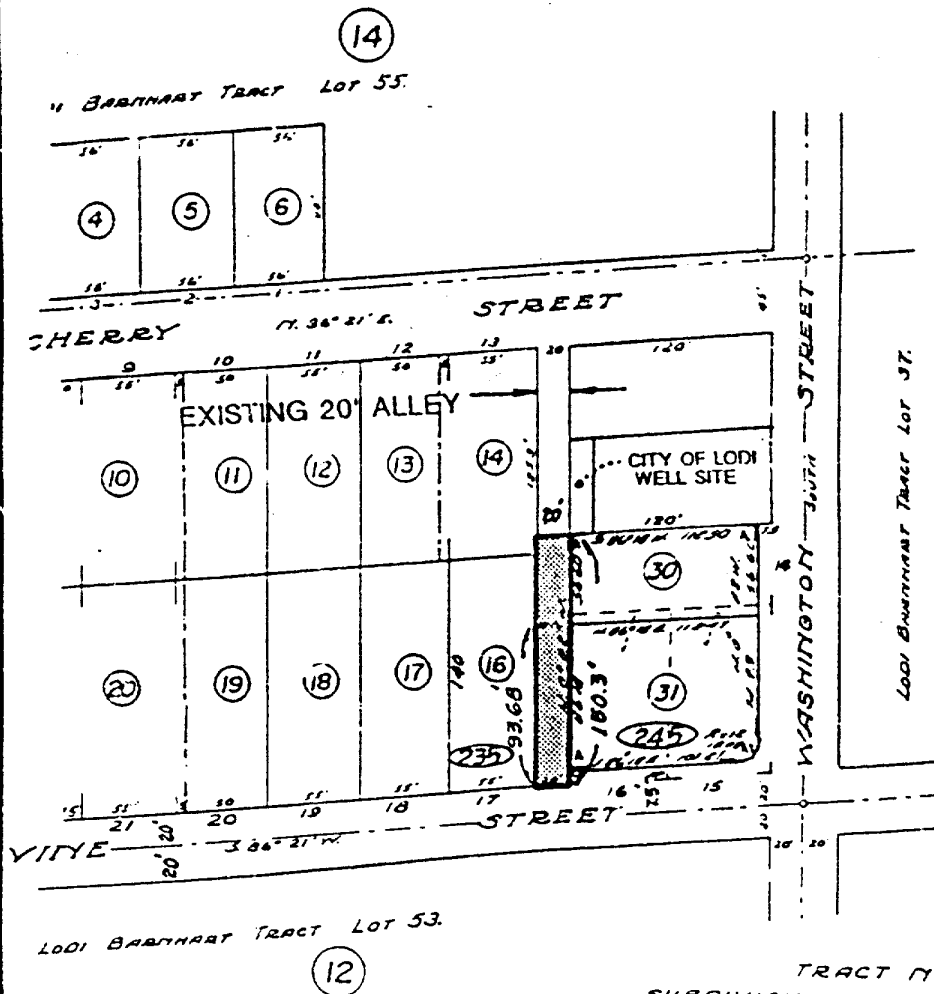


CITY OF LODI

PUBLIC WORKS DEPARTMENT

ALLEY ABANDONMENT

Bk. 047-13



TRACT NO. 15.
SUBDIVISION SAN JOAQUIN CO.
ZILKE SUBDIVISION

Dr	No.	Date	Revision	Appr.
Ch.				
Date				

EXHIBIT A

REVISED 10/13/93